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March 28, 2024

*Via ECF*

The Honorable Robert W. Lehrburger  
United States District Court for the  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Granted.

SO ORDERED:

3/29/2024

HON. ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

**Re: D.A., et al. v. N.Y.C. Dep't of Educ., et al., No. 20 CV 5175 (AS)(DWL)**

Dear Magistrate Judge Lehrburger:

I am Assistant Corporation Counsel in the Office of the Corporation Counsel of the City of New York, the Honorable Sylvia O. Hinds-Radix, counsel for the Defendants in the above-referenced action. I write, jointly with Plaintiffs' counsel, to respectfully provide the Court with a status update and to respectfully request that the parties be permitted to file a further status update, consistent with the Court's February 29, 2024 Order, (ECF No. 103), in two weeks.

Since the most recent settlement conference and as of last week, the Student has re-enrolled at a public school and a new administrative due process complaint has been filed on the Student's behalf. This change in circumstances has the potential to implicate the parties' positions in settlement negotiations, as well as the structure of the settlement itself. As such, counsel need to further confer with their respective clients as to their views on these matters before conferring with each other. Additional time is necessary for this process to occur. The parties therefore jointly and respectfully request that they be permitted to file a subsequent status letter addressing the matters described in the Court's February 29, 2024 Order in two weeks, on April 11, 2024, absent any intervening emergency issues that may arise.

The parties thank the Court for its consideration of this application.

Respectfully yours,

/s/ David S. Thayer

David S. Thayer

cc: ***Via ECF***  
All counsel of record